

JUDGE CASTEL CIVIL COVER SHEET

10 CV 3133

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

Charles Milo

DEFENDANTS

Barneys New York, Inc.

APR 13 2010

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Bromberg Law Office, P.C., 40 Exchange Place, Suite 2010,
New York, NY 10005, (212) 248-7906

ATTORNEYS (IF KNOWN)

+

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Violations of 15 U.S.C. Sec. 1601 et seq.

Has this or a similar case been previously filed in SDNY at any time? No? Yes? Judge Previously AssignedIf yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____(PLACE AN IN ONE BOX ONLY)

NATURE OF SUIT

ACTIONS UNDER STATUTES

CONTRACT	TORTS		FORFEITURE/PENALTY		BANKRUPTCY		OTHER STATUTES	
	PERSONAL INJURY	PERSONAL INJURY	[] 610	AGRICULTURE	[] 422	APPEAL	[] 400	STATE REAPPORTIONMENT
[] 110 INSURANCE	[] 310 AIRPLANE	[] 362 PERSONAL INJURY - MED MALPRACTICE	[] 620	OTHER FOOD & DRUG	[] 423	WITHDRAWAL	[] 410	ANTITRUST
[] 120 MARINE	[] 315 AIRPLANE PRODUCT LIABILITY	[] 365 PERSONAL INJURY PRODUCT LIABILITY	[] 625	DRUG RELATED SEIZURE OF PROPERTY	[] 428	28 USC 157	[] 430	BANKS & BANKING
[] 130 MILLER ACT	[] 320 ASSAULT, LIBEL & SLANDER	[] 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	[] 681	21 USC 881	[] 422	PROPERTY RIGHTS	[] 450	COMMERCE
[] 140 NEGOTIABLE INSTRUMENT	[] 330 FEDERAL EMPLOYERS' LIABILITY	[] 630 LIQUOR LAWS	[] 630	RR & TRUCK	[] 820	COPYRIGHTS	[] 460	DEPORTATION
[] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[] 340 MARINE LIABILITY	[] 640 PERSONAL PROPERTY	[] 650	AIRLINE REGS	[] 830	PATENT	[] 470	RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)
[] 151 MEDICARE ACT	[] 345 MARINE PRODUCT LIABILITY	[] 660 OCCUPATIONAL SAFETY/HEALTH	[] 660	SAFETY/HEALTH	[] 840	TRADEMARK	[] 480	CONSUMER CREDIT
[] 152 RECOVERY OF DEFUNTED STUDENT LOANS (EXCL VETERANS)	[] 350 MOTOR VEHICLE	[] 690 OTHER	[] 690	OTHER	[] 850	SOCIAL SECURITY	[] 490	CABLE/SATELLITE TV
[] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	[] 355 MOTOR VEHICLE PRODUCT LIABILITY	[] 370 OTHER FRAUD	[] 690	PROPERTY DAMAGE	[] 861	HIA (1395f)	[] 510	SELECTIVE SERVICE
[] 160 STOCKHOLDERS SUITS	[] 360 OTHER PERSONAL INJURY	[] 371 TRUTH IN LENDING	[] 710	LABOR	[] 862	BLACK LUNG (923)	[] 850	SECURITIES/ COMMODITIES/ EXCHANGE
[] 190 OTHER CONTRACT	[] 365 OTHER PERSONAL INJURY	[] 380 OTHER PERSONAL PROPERTY DAMAGE	[] 720	STANDARDS ACT	[] 863	DIWC/DIWV (405(g))	[] 875	CUSTOMER CHALLENGE
[] 195 CONTRACT PRODUCT LIABILITY	[] 385 PROPERTY DAMAGE	[] 386 PRODUCT LIABILITY	[] 730	LABOR/MGMT RELATIONS	[] 864	SSID TITLE XVI	[] 880	12 USC 3410 OTHER STATUTORY ACTIONS
[] 196 FRANCHISE	ACTIONS UNDER STATUTES		[] 740	REPORTING & DISCLOSURE ACT	[] 865	RSI (405(g))	[] 891	AGRICULTURAL ACTS
REAL PROPERTY	CIVIL RIGHTS		[] 750	RAILWAY LABOR ACT	[] 870	TAXES (U.S. Plaintiff or Defendant)	[] 892	ECONOMIC STABILIZATION ACT
	PRISONER PETITIONS		[] 790	OTHER LABOR LITIGATION	[] 871	IRS-THIRD PARTY 26 USC 7609	[] 893	ENVIRONMENTAL MATTERS
[] 210 LAND CONDEMNATION	[] 441 VOTING	[] 510 MOTIONS TO VACATE SENTENCE	[] 791	EMPL RET INC SECURITY ACT	[] 894	ENERGY ALLOCATION ACT	[] 895	INFORMATION ACT
[] 220 FORECLOSURE	[] 442 EMPLOYMENT	[] 520 USC 2255	[] 800	IMMIGRATION	[] 900	APPEAL OF FEE DETERMINATION	[] 900	DETERMINATION UNDER EQUAL ACCESS TO JUSTICE
[] 230 RENT LEASE & EJECTMENT	[] 443 HOUSING/ ACCOMMODATIONS	[] 530 HABEAS CORPUS	[] 462	NATURALIZATION APPLICATION	[] 950	CONSTITUTIONALITY OF STATE STATUTES	[] 950	UNDER EQUAL ACCESS TO JUSTICE
[] 240 TORTS TO LAND	[] 444 WELFARE	[] 535 DEATH PENALTY	[] 463	HABEAS CORPUS- ALIEN DETAINEE	[] 950	OF STATE STATUTES	[] 950	CONSTITUTIONALITY OF STATE STATUTES
[] 245 TORT PRODUCT LIABILITY	[] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[] 540 MANDAMUS & OTHER	[] 550	CIVIL RIGHTS	[] 465	OTHER IMMIGRATION ACTIONS	[] 950	CONSTITUTIONALITY OF STATE STATUTES
[] 290 ALL OTHER REAL PROPERTY	[] 446 AMERICANS WITH DISABILITIES - OTHER	[] 555 PRISON CONDITION	[] 440	OTHER CIVIL RIGHTS				

Check if demanded in complaint:

 CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?
IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint
JURY DEMAND: YES NO

NOTE: Please submit at the time of filing an explanation of why cases are deemed related.

(PLACE AN X IN ONE BOX ONLY)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2a. Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from (Specify District)	<input type="checkbox"/> 6 Multidistrict Litigation	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge Judgment
<input type="checkbox"/> 2b. Removed from State Court AND at least one party is pro se.						

(PLACE AN X IN ONE BOX ONLY)

<input type="checkbox"/> 1 U.S. PLAINTIFF	<input type="checkbox"/> 2 U.S. DEFENDANT	<input checked="" type="checkbox"/> 3 FEDERAL QUESTION (U.S. NOT A PARTY)	<input type="checkbox"/> 4 DIVERSITY
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IF DIVERSITY, INDICATE CITIZENSHIP BELOW.
(28 USC 1322, 1441)

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF <input type="checkbox"/> 1 <input checked="" type="checkbox"/> 1	DEF <input type="checkbox"/> 1 <input checked="" type="checkbox"/> 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF <input type="checkbox"/> 13 <input checked="" type="checkbox"/> 13	DEF <input type="checkbox"/> 13 <input checked="" type="checkbox"/> 13	INCORPORATED <u>or</u> PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF <input type="checkbox"/> 15 <input checked="" type="checkbox"/> 15	DEF <input type="checkbox"/> 15 <input checked="" type="checkbox"/> 15
CITIZEN OF ANOTHER STATE	PTF <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 2	DEF <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 2	INCORPORATED <u>or</u> PRINCIPAL PLACE OF BUSINESS IN THIS STATE	PTF <input type="checkbox"/> 14 <input checked="" type="checkbox"/> 14	DEF <input type="checkbox"/> 14 <input checked="" type="checkbox"/> 14	FOREIGN NATION	PTF <input type="checkbox"/> 16 <input checked="" type="checkbox"/> 16	DEF <input type="checkbox"/> 16 <input checked="" type="checkbox"/> 16

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Charles Milo
327 Central Park West
New York, New York 10025

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Barneys New York, Inc.
575 Fifth Avenue
11th Floor
New York, New York 10017-2422

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTAN
(DO NOT check either box if this a PRISONER PETITION.)

DATE 4/13/2010 SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

NO

YES (DATE ADMITTED Mo. 5 Yr. 1992)

Attorney Bar Code # BB6264

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge J. Michael McMahon is so Designated.

J. Michael McMahon, Clerk of Court by _____ Deputy Clerk, DATED _____

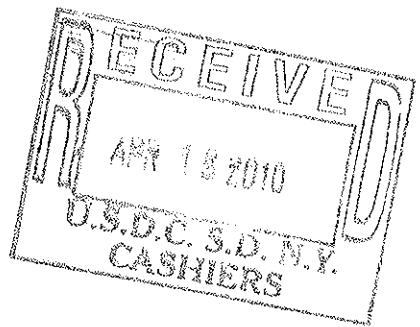
UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

JUDGE CASTEL

10 CIV 3133

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHARLES MILO,)	
individually and on behalf of)	
all others similarly situated,)	
)	
Plaintiff,)	No.
)	
- against -)	CLASS ACTION
)	
BARNEYS NEW YORK, INC.)	JURY DEMANDED
)	
)	
Defendant.)	
	x	



COMPLAINT

1. This action seeks redress for the illegal practices of Defendant Barneys New York, Inc. (the "Issuer"), also known as Barneys, including providing incomplete or improper disclosures to its customers in violation of the Truth in Lending Act ("TILA").

2. TILA's purpose is to assure meaningful disclosure of credit terms in order to (i) allow consumers to compare more readily the various credit terms available; (ii) enable consumers to avoid the uninformed use of credit; and (iii) protect consumers against inaccurate and unfair billing practices. 15 U.S.C. § 1601(a). As alleged in greater detail below, the Issuer failed to make certain

disclosures on statements it provided to customers. The Issuer's conduct violates the express provisions of the TILA and the applicable Regulations.

3. Under the private enforcement provisions of TILA, plaintiff and the Class seek the recovery of statutory damages of up to \$500,000 with respect to each of the Issuer's failures to comply.

JURISDICTION AND VENUE

4. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1337, as well as under 15 U.S.C. § 1640(e), because this action arises under the Truth in Lending Act ("TILA"), 15 U.S.C. § 1601 *et seq.*

5. Venue is proper because the acts and transactions that give rise to this action occurred, in substantial part, in this District. Venue is also proper in this district because the Issuer transacts business in this district and the interests of justice require maintenance of this action in this district.

PARTIES

6. Plaintiff Charles Milo resides in New York, New York, which is within this district.

7. Milo is a "consumer," as that term is defined by § 1602(h) of TILA, because this complaint arises from the Issuer's offer and extension of credit to Milo, a credit card holder, for personal, family or household purposes.

8. Upon information and belief, the Issuer is a corporation doing business in the State of New York and throughout the United States, with a principal place of business in New York.

9. The Issuer is a “creditor,” as that term is defined by § 1602(f) of TILA and Federal Reserve Board Regulation Z (“Regulation Z”), 12 C.F.R. § 226.2(a)(17), because at all relevant times, the Issuer, in the ordinary course of its business, regularly – *i.e.*, more than 25 times a year – extended or offered to extend consumer credit for which a finance charge is or may be imposed, which is payable in more than 4 installments.

FACTUAL ALLEGATIONS

10. Milo is the holder of a Barneys credit account issued by the Issuer in September of 2009.

11. Milo received a Barneys credit application in September of 2009, a photocopy of which is attached as Exhibit A.

12. All class members herein, as defined below, used or use a Barneys account originally issued by the Issuer.

CLASS ALLEGATIONS

13. Milo brings this action individually and on behalf of all persons similarly situated.

14. The proposed class consists of all persons who, according to the Issuer’s records, opened a Barneys account and used that account after being provided with

application materials within one year before the filing of this action that, as described below, did not conform to TILA requirements.

15. Specifically excluded from this class are the Issuer, any entity in which the Issuer has a controlling interest, and the officers, directors, affiliates, legal representatives, heirs, successors, subsidiaries or assigns of any such individual or entity.

16. The members of the class for whose benefit this action is brought is so numerous that joinder of all Class members is not practicable. In light of the thousands of credit cards issued by the Issuer every year, the number of class members is believed to exceed 5,000 persons.

17. Milo's claims are typical of, if not identical to, all members of the class and Milo does not have any interest that is adverse or antagonistic to the interests of the class. If the conduct of the Issuer violates TILA as applied to Milo, then it violates TILA with respect to the entire class.

18. Milo will fairly and adequately protect the interests of the class as he is committed to the vigorous prosecution of this action and, to that end, has retained competent counsel experienced in complex litigation of this nature.

19. The class is proper for certification under Rule 23(b)(2) of the Federal Rules of Civil Procedure. The Defendant's actions complained of herein are generally applicable to all Class members, thereby making final injunctive relief appropriate with respect to the class as a whole.

20. The class is also proper for certification under Federal Rule of Civil Procedure 23(b)(3). A class action is superior to other available methods for the fair and efficient adjudication of the claims asserted herein. Because damages suffered by individual class members may be relatively small, the expense and burden of individual litigation make it impracticable for the class to seek redress individually for the wrongs they have suffered. Members of the class do not have a particular interest in individually controlling the prosecution of separate actions.

21. There are questions of law and fact which are common to the members of the class and which predominate over questions affecting only individual members. Common questions of law and fact include, but are not limited to, whether the Issuer has a standardized procedure by which it fails to clearly and conspicuously disclose its terms and the customers' cost of credit as required by TILA and Regulation Z.

22. Upon information and belief, the Class consists of thousands of customers.

23. Thus, a class action is an appropriate and superior method for the fair and efficient adjudication of the present controversy given the following factors:

- a) Common questions of law and/or fact predominate over any individual questions which may arise and, accordingly, there would accrue enormous savings to both the Court and the Class in litigating the common issues on a class-wide instead of a repetitive individual basis; and
- b) The aggregate volume of the individual class members' claims, coupled with the economies of scale inherent in litigating similar claims on a common basis, will enable this case to be litigated as a

class action on a cost-effective basis, especially when compared with repetitive individual litigation.

24. Class certification is also fair and efficient because prosecution of separate actions by individual Class members would create a risk of differing adjudications with respect to such individual members of the Class, which as a practical matter may be dispositive of the interests of other members not parties to the adjudication, or substantially impede their ability to protect their interests. Moreover, since the actual monetary damages suffered by, or statutory damages available to, individual Class members may be relatively small, although significant in the aggregate, the expenses and burdens of individual litigation make it impossible or effectively impossible for the members of the Class to seek individual redress for the TILA violations committed by Defendants.

25. Plaintiff anticipates that there will be no difficulty in the management of this litigation. The records of the individuals encompassed within the Class are in Defendant's possession.

COUNT I

Violations of the Truth in Lending Act

26. Plaintiff repeats and realleges each and every allegation contained in the foregoing paragraphs with the same force and effect as though fully set forth herein.

27. Congress authorized the Federal Reserve Board ("FRB") to promulgate regulations granting it broad authority to effectuate the purposes of TILA. 15 U.S.C. § 1604(a).

28. The set of regulations that the FRB has promulgated to implement TILA is known as Regulation Z. 12 C.F.R. §226.1 *et seq.* (2009). Amendments to Regulation Z have been in effect since February 22, 2010, but the changes do not affect Issuer's liability here.

29. TILA generally requires Issuer to provide, within applications "made available to the public" either (i) specific information, including the disclosures of certain key credit terms within a tabular format as set forth in §1632(c), such as annual percentage rates, grace period and balance computation method; (ii) alternative specific information, including, among other disclosures, those required by paragraphs (1) through (6) of §1637(a); or (iii) general information that there are costs associated with the use of credit cards and that the applicant may contact the creditor at a certain toll-free telephone number or mailing address to request disclosure of those specific costs. 15 U.S.C. §1637(c)(3).

30. TILA also provides that the FRB "may, by regulation, require the disclosure of information in addition to that otherwise required by this subsection or subsection (d) of this section, in any application to open a credit card account . . . if the Board determines that such action is necessary to carry out the purposes, or prevent evasions of, any paragraph of this subsection," 15 U.S.C. § 1637(c)(5).

31. Accordingly, the FRB similarly requires that on applications made available to the general public, creditors make one of three sets of disclosures to applicants. See 12 C.F.R. § 226.5a(e).

32. Issuer provided Plaintiff an application using the set of disclosures specified by 12 C.F.R. § 226.5a(e)(1), which calls for listing certain key terms of the credit account in the manner described by § 226.5a(b).

33. The FRB requires those key credit terms to be disclosed “clearly and conspicuously,” 12 C.F.R. § 226.5(a)(1), and in a tabular format substantially similar to any of the model tables which appear in an appendix to the Regulations. See 12 C.F.R. § 226.5a(a)(2); 12 C.F.R. App. G to Part 226.

34. The FRB requires Issuer’s standard annual percentage rate for purchases, when disclosed under § 226.5a(b), to be in at least 18-point type in order to be considered “conspicuous.” See 12 C.F.R. §§ 226.5a(b)(1), 226.5(a)(2) n. 9.

35. Issuer, however, in making its disclosures under § 226.5a(b), provided Plaintiff with an annual percentage rate that was in significantly smaller type, thus making a deficient application-related disclosure in violation of 15 U.S.C. § 1637(c).

36. TILA provides for a creditor’s civil liability for the violation of 15 U.S.C. § 1637(c) to those cardholders who either used or paid a fee for the credit card at issue. See 15 U.S.C. §1640(a).

37. In accordance with TILA’s civil liability provision, Plaintiff and the Class are entitled to recover up to \$500,000 in statutory damages, together with costs and reasonable attorney fees, for each of the Issuer’s violations of TILA, as alleged above.

WHEREFORE, Plaintiff Charles Milo prays on his behalf and on behalf of the Class that judgment be entered against Defendant as follows:

- (1) An order certifying the proposed Class under Federal Rule of Civil Procedure 23(b)(2) and, additionally or in the alternative, an order certifying the Class under Federal Rule of Civil Procedure 23(b)(3);
- (2) A declaration that the Issuer's systematic and standard policy of failing to fully disclose to its customers their billing rights violates the Truth in Lending Act;
- (3) An injunction permanently prohibiting the Issuer from engaging in the conduct described;
- (4) Maximum statutory damages as provided under 15 U.S.C. § 1640(a)(2);
- (5) Attorney fees, litigation expenses, and costs; and

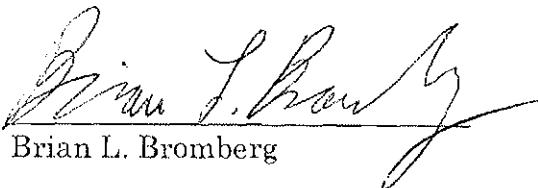
(6) Such other and further relief as to this Court may seem just and proper.

Jury Demand

Plaintiff respectfully requests a trial by jury.

Dated: New York, New York
April 13, 2010

Respectfully Submitted,

By: 
Brian L. Bromberg

Attorneys for Plaintiff

Brian L. Bromberg
Bromberg Law Office, P.C.
40 Exchange Place, Suite 2010
New York, NY 10005
(212) 248-7906

Harley J. Schnall
Law Office of Harley J. Schnall
711 West End Ave
New York, NY 10025
(212) 678-6546

Exhibit A

BARNEYS
NEW YORK
**CREDIT
APPLICATION**

Type of Account: (Please check one)

INDIVIDUAL - Only your credit worthiness will be considered.

JOINT - If this is an application for a joint account, your credit worthiness and that of your Joint applicant will be considered. After credit approval each applicant shall have the right to use this account and each applicant may be liable for all amounts or credit extended under this account to any Joint Applicant.

Name First M.I. Last

Street

City State Zip Code

Previous Address (If current is less than two years)

Home Telephone () Business Telephone ()

Employer

Social Security No. Date of Birth

Authorized/Joint Applicant Name

Social Security No. Date of Birth

BEFORE SIGNING BELOW, I HAVE READ THE IMPORTANT DISCLOSURES ON THE REVERSE SIDE. I AGREE TO BE BOUND BY THE TERMS OF THE BARNEYS NEW YORK RETAIL INSTALLMENT CREDIT AGREEMENT THAT WILL ACCOMPANY MY CREDIT CARD, THE TERMS OF WHICH ARE INCORPORATED HERE BY REFERENCE.

Applicant Signature Date

Joint / Auth. User Signature Date

STORE
SOURCE
REP
ACCOUNT #

FM 5003 7/03

ANNUAL PERCENTAGE RATE FOR PURCHASES	GRACE PERIOD FOR REPAYMENT OF THE BALANCE OF PURCHASES	METHOD FOR COMPUTING THE BALANCE FOR PURCHASES	MINIMUM FINANCE CHARGE	ANNUAL FEE
21.0% Except 18% in HI, LA, MA, MN, SC; 18% to \$500, 21.0% over \$500 in NE; 6.5% in AR; 18% to \$750; 21.1% over \$750 in AL.	26 Days	Average Daily Balance (including new purchases), except in MN and NM: Average Daily Balance (excluding new purchases)	\$.50 EXCEPT NONE IN AR, DC, HI, MD, NE AND NC	None
Late Fee: Varies in amount from state to state. There is no late fee in some states and it is \$5 to \$25 in others.				

The information about the costs of the Barneys New York credit card described above in the application is accurate as of December 2004. This information may have changed after that date. To find out what may have changed, write to us at PO Box 326, Lyndhurst, NJ 07071-0326.

STATE LAW REQUIRES US TO GIVE YOU THE FOLLOWING NOTICES.

The applicant, if married, may apply for a separate account. After credit approval, each applicant shall have the right to use this account to the extent of any credit limit set by the creditor and each applicant may be liable for all amounts of credit extended under this Account to any joint applicant.

NOTICE FOR OHIO RESIDENTS: The Ohio laws against discrimination require that all creditors make credit equally available to all credit worthy customers, and that credit reporting agencies maintain separate credit histories on each individual upon request. The Ohio Civil Rights Commission administers compliance with this law.

You authorize us to request a consumer report from consumer reporting agencies in considering this application and for the purpose of establishing your credit limit guideline, an update, renewal or extension of credit or collecting your Account. Upon applicant's request, we will inform applicant of the name and address of each consumer-reporting agency from which we obtained a consumer report, if any, relating to applicant and/or co-applicant.